

Mail Stop Interference
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Paper 26

Filed: May 3, 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MARK HENRY PAUSCH,
BRADLEY ALTON OZENBERGER, JOHN RICHARD HADCOCK,
LAURA ALICIA PRICE, EILEEN MARIE KAJKOWSKI,
DONALD RICHARD KIRSCH, AND DEBORAH TARDY CHALEFF,
Junior Party
(Patent 6,406,871),

v.

DANA M. FOWLKES,
JIM BROACH, JOHN MANFREDI, CHRISTINE KLEIN,
ANDREW J. MURPHY, JEREMY PAUL, AND
JOSHUA TRUEHEART
Senior Party
(Application 10/600,003).

Patent Interference No. 105,463
(Technology Center 1600)

Before RICHARD E. SCHAFER, SALLY GARDNER LANE, and SALLY C.
MEDLEY, Administrative Patent Judges.

LANE, Administrative Patent Judge.

Judgment-Bd.R. 127

Pausch requests adverse judgment. (Paper 25).

Upon consideration of the record of the interference and for reasons given, it is

ORDERED that judgment on priority as to Count 1, the sole count of the interference, is entered against junior party MARK HENRY PAUSCH, BRADLEY ALTON OZENBERGER, JOHN RICHARD HADCOCK, LAURA ALICIA PRICE, EILEEN MARIE KAJKOWSKI, DONALD RICHARD KIRSCH, and DEBORAH TARDY CHALEFF;

FURTHER ORDERED that junior party MARK HENRY PAUSCH, BRADLEY ALTON OZENBERGER, JOHN RICHARD HADCOCK, LAURA ALICIA PRICE, EILEEN MARIE KAJKOWSKI, DONALD RICHARD KIRSCH, and DEBORAH TARDY CHALEFF is not entitled to a patent containing claims 47-49, 56-61, and 88 of patent 6,406,871, which claims correspond to Count 1;

FURTHER ORDERED that, if there is a settlement agreement, the parties are directed to 35 USC §135(c) and Bd. R. 205; and

1 FURTHER ORDERED that a copy of this judgment shall be entered
2 into the administrative records of Pausch patent 6,406,871 and Fowlkes application
3 10/600,003.

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5 /Richard E. Schafer/)
6 RICHARD E. SCHAFER)
7 Administrative Patent Judge)
8)
9)
10 /Sally G. Lane/) BOARD OF PATENT
11 SALLY GARDNER LANE)
12 Administrative Patent Judge) APPEALS AND
13)
14) INTERFERENCES
15 /Sally C. Medley/)
16 SALLY C. MEDLEY)
17 Administrative Patent Judge)
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